



Docket No.: 60188-402

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 20277
ODAKE, YOSHINORI, et al.	:	Confirmation Number: 6382
Serial No.: 09/987,001	:	Group Art Unit: 2812
Filed: November 13, 2001	:	Examiner: Richard A. BOOTH
For: METHOD OF FABRICATING NONVOLATILE SEMICONDUCTOR MEMORY DEVICE	:	

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Restriction Requirement
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Noting the Office Action of November 14, 2003 wherein restriction has been required, Applicant(s) hereby elect Species Group I, wherein the first or second ion injection step includes injecting two of the same types of impurity ions for prosecution in the above-identified application, and listing of all claims readable thereon are claims 1-8, 9, and 11-17.

While making the foregoing election as required, Applicants respectfully submit that all pending claims should be examined in the instant application. First, the elements of claims 1-8 and 11-17 are included in both Species Groups (i) and (ii) as identified in the pending restriction. Secondly, both claims 9 and 10, which respectively include elements of Group (i) and Group (ii), depend on claim 8, and claim 8 depends on claim 10. As such, as only claim 10 is limited to

Group (ii), and claim 10 depends on claim 1, which is clearly a generic claim, it is submitted that all claims currently pending should be examined in this application.

It is also noted that a revocation of power of attorney and change of address form have been previously filed in this application, however, it does not appear that the USPTO records have been updated as the last Office Action was sent to the former attorneys. It is respectfully requested that the USPTO records be updated such that any future correspondence is forwarded to the correct address.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT, WILL & EMERY



Michael E. Fogarty
Registration No. 36,139

600 13th Street, N.W.
Washington, DC 20005-3096
(202) 756-8000 MEF:men
Facsimile: (202) 756-8087
Date: December 17, 2003